

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mitsuru SHINGYOHUCHI et al.

Serial No.: 10/561,303

Group Art Unit: 2861

Date Filed: June 21, 2004

Examiner: Henok Legesse

For: AN IMAGE FORMATION APPARATUS

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P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT

Sir:

In order to ensure compliance with the applicant's duty of disclosure under 37 C.F.R. § 1.56 and § 1.97(a)-(d), Applicant hereby submits this Information Disclosure Statement.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97(b)(4). A Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 was filed on January 9, 2009. To the best of Applicant(s) knowledge, this Information Disclosure Statement is being filed before the date of mailing of a first Office Action on the merits after the RCE filed on January 9, 2009 in connection with this application.

Alternatively, Applicant requests consideration of this Information Disclosure Statement under 37 C.F.R. § 1.97(c)(1). The references listed in the annexed Form PTO-1449 were cited in a December 23, 2008 search report in connection with a counterpart European patent application.

A copy of the December 23, 2008 European search report is also enclosed herewith. Each reference listed in the Form PTO-1449 annexed to this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Reference US6488349, which is also cited in the Japanese official action, was submitted with the Information Disclosure Statement filed on December 19, 2005 with this application, and therefore is not being listed on the Form PTO-1449 annexed hereto.

It is respectfully requested that the information cited in the annexed Form PTO-1449 be considered by the Examiner in connection with the above-identified patent application, and that such art be made of record in said application.

According to the August 5, 2003 OG Notice published by the Patent and Trademark Office, the Office has waived the requirement under 37 C.F.R. §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each cited U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international application that have entered the national stage under 35 U.S.C. §371 after June 30, 2003.

Accordingly, copies are submitted herewith for only references listed on the annexed Form PTO-1449 that are not a U.S. patent or U.S. patent application publication.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the items are prior art. The items listed are submitted in good faith, but are not intended to substitute for Examiner's search. It is hoped, however, that in addition to apprising the Examiner of the particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

The Patent Office is hereby authorized to charge any fees that are required for consideration of this Information Disclosure Statement and to credit any overpayment to our Deposit Account No. 03-3125.

Respectfully submitted,

Date: January 30, 2009



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